

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh
v. : Criminal No. 10-158 (DMC)
CULLEN DARBY : SCHEDULING AND CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Lee Vartan, Assistant U.S. Attorney), and defendant Cullen Darby (by John Yauch, Esq.), for an order setting the briefing and trial schedules in this matter and for an order granting a continuance of the proceedings in this matter:

IT IS ORDERED that any response to the defendant's motions shall be filed no later than February 28, 2011;

IT IS FURTHER ORDERED that any reply to the Government's response shall be filed no later than March 21, 2011;

IT IS FURTHER ORDERED that argument of any motions filed shall be April 11, 2011;

IT IS FURTHER ORDERED that the trial in this matter is set for May 2, 2011; and

IT IS FURTHER ORDERED that the period from January 11, 2011 through May 2, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974 because: (1) the parties are preparing to engage in preliminary discussions concerning entering into a plea agreement, and the defendant desires additional time to review discovery, and both the United

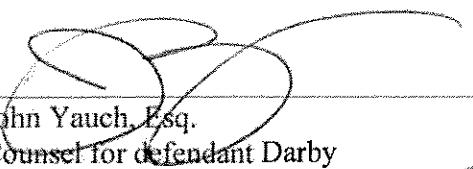
States and the defendant seek additional time to pursue such discussions, which may render trial of this matter unnecessary; (2) the defendant has consented to the continuance; (3) the grant of a continuance will likely conserve judicial resources; and (4) pursuant to Title 18 of the United States Code, Section 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

Dated: January 18, 2011

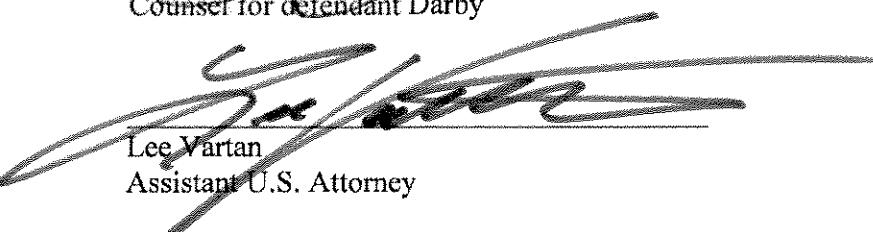


HON. DENNIS M. CAVANAUGH
United States District Judge

Consented and Agreed to by:



John Yauch, Esq.
Counsel for defendant Darby



Lee Vartan
Assistant U.S. Attorney